

To: Peck, Gregory[Peck.Gregory@epa.gov]
From: Beauvais, Joel
Sent: Fri 7/15/2016 2:11:40 PM
Subject: RE: FYI - Rosemont - 60-Day notice on Rosemont ESA from CBD

Thanks for the heads up.

From: Peck, Gregory
Sent: Friday, July 15, 2016 10:00 AM
To: Beauvais, Joel <Beauvais.Joel@epa.gov>
Subject: FYI - Rosemont - 60-Day notice on Rosemont ESA from CBD

Joel:

We just received a 60 day notice of intent to sue under ESA alleging

“the Forest Service, USACE and EPA’s unlawful reliance” on said BO, as well as on FWS regs and critical habitat designation revisions for specific species. With respect to EPA, the notice lumps us in with Forest Service and the Corps in referring to agency “actions” including “issuance and oversight of permits and certifications under Sections 404 and 401 of the CWA” and “approval of the ROD and any permits and authorizations under the CWA”, and says that the three agencies “should promptly affirmatively deny any pending applications, requests, permits, authorizations and certifications under their respective jurisdictions related to the proposed Rosemont Mine”.